

REMARKS/ARGUMENTS

Favorable reconsideration of this application, as presently amended and in light of the following discussion, is respectfully requested.

Claims 63-92, 94-99, 101, and 125-141 are pending in the present application, Claims 63 and 78 having been amended, and Claims 66, 68-71, 75-77, 81, 83-86, 89-91, 94-99, 127-130, and 133-138 having been withdrawn. Support for the present amendment is believed to be self-evident from the originally filed specification. Applicant respectfully submits that no new matter is added.

In the outstanding Office Action, Claims 63-65, 67, 72-74, 125, and 126 were rejected under 35 U.S.C. §102(b) as anticipated by Pizzi (EP 1026718); Claims 128-130 were rejected under 35 U.S.C. 103(a) as unpatentable over Pizzi in view of Feng et al. (U.S. Patent No. 6,919,784, hereinafter Feng); Claims 78, 79, 80, 82, 87, 88, 92, 131, and 132 were rejected under 35 U.S.C. §103(a) as obvious over Pizzi in view of Fleming (US. Patent No. 5,867,302); Claim 101 was rejected under 35 U.S.C. §103(a) as obvious over Pizzi in view of Fleming; and Claims 139-141 were rejected under 35 U.S.C. §103(a) as unpatentable over Pizzi in view of Flemming and Feng.

Applicants respectfully submit that amended Claim 63 patentably distinguishes over Pizzi. Claim 63 recites, *inter alia*,

means for forming at least one pivot of at least one portion of the mobile electrode, said means forming at least one pivot being disposed directly under the mobile part that is flexible and free to move...[and]

the mobile part bears directly on the means forming at least one pivot when one of the fixed electrodes attracts a first portion of the mobile part of the mobile electrode facing the fixed electrode.

Pizzi does not disclose at least the above-noted elements of Claim 63.

Page 3 of the Office Action equates contacts 11 and 12 of Pizzi to the claimed “means for forming at least one pivot.” However, as illustrated by the perspective view shown in Pizzi’s Fig. 1 and the top view illustrated in Pizzi’s Fig. 4, contacts 11 and 12 are not directly under the mobile part that is flexible and free to move 8, and the mobile part 8 is not directly bearing on the contacts 11 and 12 (rather, contacts 10 directly bear on contacts 11 and 12).

Applicants note that the figures in Pizzi, such as Fig. 3, are lateral views, and contacts 11 and 12 are not actually directly under or in direct contact with mobile part 8.

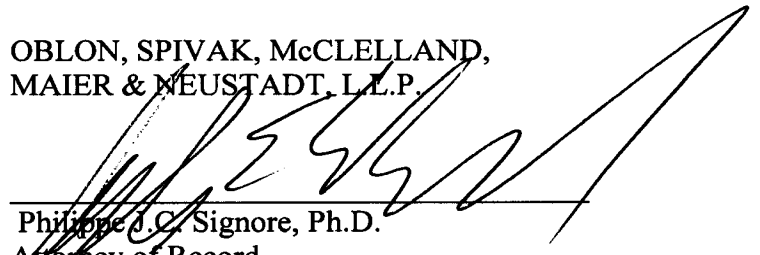
In view of the above-noted distinctions, Applicants respectfully submit that amended Claim 63 (and any claims dependent thereon) patentably distinguishes over Pizzi. Claim 78 recites features analogous to those of Claim 63. Applicant respectfully submits that amended Claim 78 (and any claims dependent thereon) patentably distinguishes over Pizzi, for at least the reasons stated for Claim 63.

Feng and Flemming have been considered, but do not cure the above-noted deficiencies in Pizzi.

Consequently, in light of the above discussion and in view of the present amendment, the present application is believed to be in condition for allowance and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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